

Advisory Commission on Sentencing

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Description	FY 2003 Actual	FY 2004 Approved	FY 2005 Proposed	% Change from FY 2004
Operating Budget	\$482,952	\$634,137	\$479,726	-24.3
FTEs	5.0	6.0	4.0	-33.3

The mission of the D.C. Advisory Commission on Sentencing (ACS) is to promote the following policies:

- Sentencing policies should be just, fair, consistent and certain. Similarly situated offenders should receive similar sentences.
- Sentencing policies should be truthful. The offender, victim, and the public should understand what a sentence means at the time it is imposed.
- Sentencing policies should make judicious use of resources: incarceration should be used for violent and repeat offenders, while intermediate sanctions should be considered for other offenders as appropriate.
- Sentencing policies should reflect the goals of sentencing. Incapacitation of the violent or habitual offender, deterrence of the offender and others from future crime, reintegration of the offender into the community following release from incarceration, rehabilitation of the offender, and restitution to victims and the public.
- Sentencing policies should be supported by adequate prison, jail, and community resources.

The agency plans to fulfill its mission by achieving the following strategic result goals:

- **Promote sentencing policies that limit unwarranted disparity while allowing adequate judicial discretion and proportionality, as evidenced by introducing and implementing sentencing guidelines that:**
 - Reduce unwarranted sentencing variation;
 - Maintain judicial discretion; and
 - Call for proportional sentences based on the severity of the crime.
- **Stakeholders should be able to understand sentencing policies and should expect a high level of compliance, as evidenced by:**
 - In a majority of cases, judges will comply with the sentencing guidelines;
 - ACS will provide all criminal justice personnel with training on the correct scoring of the guidelines; and
 - ACS will develop and implement a hotline to provide all parties with information on scoring, recommendations and current practices.
- **Sentencing policies should make judicious use of resources and should be supported by adequate prison, jail, and community resources.**
 - To insure that policy makers receive maximum information on sentencing prac-

tice and resource utilization, the commission will use a correctional capacity computer simulation to estimate the impact of changes in guidelines or the Criminal Code on prison or probation resources.

- One of the commission's goals is to promote expansion of community resources, and provide a continuum of sanctions beyond the two extremes of standard probation, on the one hand, and prison, on the other. To this end, the commission expects to document any gaps between the need for intermediate sanctions and the availability of community resources that promote intermediate sanctions.
- Sentencing policies should reflect the goals of sentencing: incapacitation of the violent or habitual offender, deterrence of the offender and others from future crime, reintegration of the offender into the community following release from incarceration, rehabilitation

of the offender, and restitution to victims and the public.

- The use of guideline recommendations is expected to increase the consistency with which serious violent and habitual offenders are sentenced to prison. The expected lengths of prison stays are expected to remain consistent with historical averages, a goal the commission sees as consistent with its original mandate.
- One of the commission's goals is to promote rehabilitation of offenders, including successful re-entry into the community for sentenced felons. To this end, the commission expects to promote tools at sentencing, in cooperation with the Court Services and Offender Supervision Agency, that match appropriate offenders to treatment and other resources that promote rehabilitation goals.

Funding by Source

Tables FZ0-1 and 2 show the sources of funding and FTEs by fund type for the Advisory Commission on Sentencing.

Table FZ0-1

FY 2005 Proposed Operating Budget, by Revenue Type

(dollars in thousands)

Appropriated Fund	Actual FY 2002	Actual FY 2003	Approved FY 2004	Proposed FY 2005	Change from FY 2004	Percent Change
General Fund						
Local Fund	416	483	634	480	-154	-24.3
Total for General Fund	416	483	634	480	-154	-24.3
Gross Funds	416	483	634	480	-154	-24.3

Table FZ0-2

FY 2005 Full-Time Equivalent Employment Levels

	Actual FY 2002	Actual FY 2003	Approved FY 2004	Proposed FY 2005	Change from FY 2004	Percent Change
General Fund						
Local Fund	5	5	6	4	-2	-33.3
Total for General Fund	5	5	6	4	-2	-33.3
Total Proposed FTEs	5	5	6	4	-2	-33.3

Expenditures by Comptroller Source Group

Table FZ0-3 shows the FY 2005 proposed budget for the agency at the Comptroller Source Group level (Object Class level).

Table FZ0-3

FY 2005 Proposed Operating Budget, by Comptroller Source Group

(dollars in thousands)

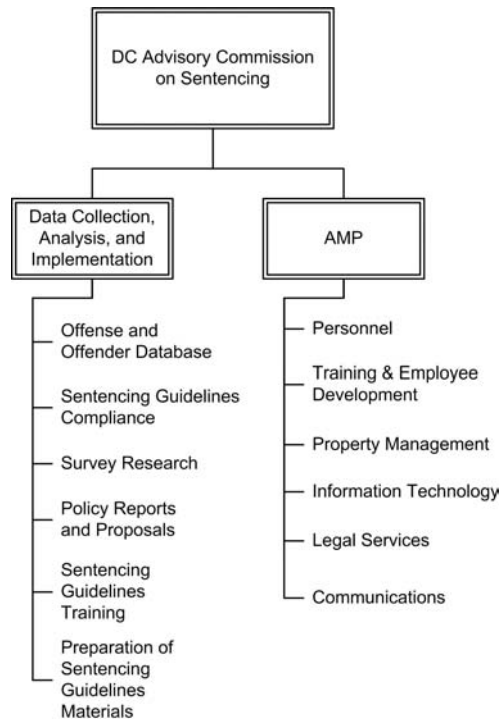
Comptroller Source Group	Actual FY 2002	Actual FY 2003	Approved FY 2004	Proposed FY 2005	Change from FY 2004	Percent Change
11 Regular Pay - Cont Full Time	255	295	373	239	-134	-35.9
13 Additional Gross Pay	5	1	0	0	0	0.0
14 Fringe Benefits - Curr Personnel	43	53	56	38	-18	-32.6
Subtotal Personal Services (PS)	303	350	428	276	-152	-35.5
20 Supplies and Materials	4	12	8	8	0	0.0
30 Energy, Comm. And Bldg Rentals	51	64	7	5	-2	-27.4
31 Telephone, Telegraph, Telegram, Etc	0	0	5	8	3	50.6
32 Rentals - Land And Structures	0	0	12	0	-12	-100.0
33 Janitorial Services	0	0	4	3	-1	-23.7
34 Security Services	0	0	5	4	-1	-22.7
35 Occupancy Fixed Costs	0	0	0	6	6	100.0
40 Other Services And Charges	17	24	38	40	2	6.6
41 Contractual Services - Other	38	33	117	119	3	2.3
70 Equipment & Equipment Rental	2	0	10	10	0	0.0
Subtotal Nonpersonal Services (NPS)	113	133	206	203	-2	-1.1
Total Proposed Operating Budget	416	483	634	480	-154	-24.3

Expenditure by Program

The D.C. Advisory Commission on Sentencing has the following program structure.

Figure FZ0-1

D.C. Advisory Commission on Sentencing



Gross Funds

The proposed budget is \$479,726, representing a decrease of 24.3 percent from the FY 2004 approved budget of \$634,137. The proposed budget includes Local funds only. There are 4.0 FTEs for the agency, a decrease of two FTEs from the FY 2004 approved budget.

Programs

The Advisory Commission on Sentencing is committed to the following programs:

Data Collection, Analysis and Implementation

	FY 2004	FY 2005
Budget	\$401,348	\$281,930
FTEs	3.0	2.0

*FY 2005 program funding levels are presented for comparison purposes only. Program budgets did not exist for FY 2005 for this agency because the agency had not yet created its performance-based budgeting structure.

Program Description

The purpose of the **Data Collection, Analysis, and Implementation** program is to produce sentencing research for the commission and the Council to analyze sentencing practices in the District, and to provide guideline manuals, a guideline hotline, and training for criminal justice personnel so that they can effectively and efficiently work within the new structured sentencing system. This program primarily supports the Citywide Strategic Priority area of Making Government Work. This program has seven activities:

- **ACS Offense and Offender Database** - provides an updated sentencing database to ACS to analyze current trends in sentencing.
- **Sentencing Guidelines Monitoring** - provides information to the commission on compliance so they can evaluate the effectiveness of the sentencing guidelines.

- **Survey Research** - provides the commission and the city government with stakeholder feedback to promote a sentencing system that is fair and effective.
- **Policy Reports and Proposals** - provides reports and recommendations to the Council so they can improve and expand different criminal justice programs when necessary.
- **Sentencing Guidelines Training** - provides training to criminal justice personnel so they can understand and correctly work with the new sentencing guidelines.
- **Preparation of Sentencing Guidelines Materials** - provides stakeholders with the appropriate materials so they can implement sentencing guidelines.

Program Budget Summary

Since this agency transitions to a PBB agency in FY 2005, no analysis can be done between the FY 2005 request and the previous budget years on a program-by-program basis. However, changes within this program decreased the overall gross funds budget level. This program's personal services increased by \$7,468 to support the FY 2004 2.5 percent nonunion pay raise that became effective October 5, 2003. This increase was offset by a reduction of \$60,650 and one FTE as the agency shifts its focus to monitoring the sentencing pilot program and reduces its other operations.

Key Result Measures

Program 1: Data Collection, Analyses and Implementation

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Dr. Kim Hunt, Director

Supervisor(s): Dr. Kim Hunt, Director

Measure 1.1: Percent of DCSC offense and offender data downloaded annually

	Fiscal Year	
	2005	2006
Target	100	100
Actual		-

Measure 1.2: Establishment of judicial compliance database prior to guideline operations

	Fiscal Year	
	2005	2006
Target	100	100
Actual		-

Measure 1.3: Percent of compliance reached

	Fiscal Year	
	2005	2006
Target	65	70
Actual		-

Measure 1.4: Percent of departures (with explanations) entered into the database

	Fiscal Year	
	2005	2006
Target	95	100
Actual		-

Measure 1.5: Judicial evaluation of system: favorable rating of 51% or more

	Fiscal Year	
	2005	2006
Target	60	70
Actual		-

Measure 1.6: Percent of resource impact estimates prepared for all proposed legislative or guideline changes

	Fiscal Year	
	2005	2006
Target	100	100
Actual		-

Measure 1.7: Percent of needs assessment prepared for intermediate sanctions

	Fiscal Year	
	2005	2006
Target	100	-
Actual		-

Measure 1.8: Percent of recommendations prepared that are related to incorporation of intermediate sanctions in guidelines

	Fiscal Year	
	2005	2006
Target	100	-
Actual		-

Measure 1.9: Percent of annual training conducted for existing and new practitioners who register for training

	Fiscal Year	
	2005	2006
Target	100	100
Actual		-

Measure 1.10: Percent of hotline questions answered within 24 hours

	Fiscal Year	
	2005	2006
Target	95	100
Actual		-

Measure 1.11: Percent of judges and other registered practitioners that receive a guideline

	Fiscal Year	
	2005	2006
Target	100	100
Actual		-

Agency Management Program

	FY 2004	FY 2005
Budget	\$232,789	\$197,796
FTEs	3	2

*FY 2004 program funding levels are presented for comparison purposes only. Program budgets did not exist for FY 2005 for this agency because the agency had not yet created its performance-based budgeting structure.

Program Description

The **Agency Management** program provides operational support to the agency so that they have the necessary tools to achieve operational and programmatic results. This program is standard for all Performance-Based Budgeting agencies. More information about the Agency Management program can be found in the Strategic Budgeting chapter.

Program Budget Summary

Since this agency transitions to a PBB agency in FY 2005, no analysis can be done between the FY 2005 request and the previous budget years on a program by program basis. However, changes within this program decreased the overall gross funds budget level. This program's personal services decreased by \$98,897 and one FTE as the agency shifts its focus to the sentencing pilot program and reduces its other operations. Additionally, this program had a reduction of \$2,332 in occupancy fixed costs.

Key Result Measures

Program 2: Agency Management

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Dr. Kim Hunt, Director
Supervisor(s): Dr. Kim Hunt, Director

Measure 2.1: Dollars saved by agency-based labor management partnership project(s)

	Fiscal Year	
	2005	2006
Target	-	-
Actual		-

Note: Although agencies established their initial labor-management partnership projects in FY 2003, very few had cost-savings as objectives. Agencies will continue ongoing projects and/or establish new projects by the third quarter of FY 2004. Cost-savings will be tracked for this measure for those projects that have cost-savings as a key objective.

Measure 2.2: Percent variance of estimate to actual expenditure (over/under)

	Fiscal Year	
	2005	2006
Target	-	-
Actual		-

Measure 2.3: Cost of Risk

	Fiscal Year	
	2005	2006
Target	-	-
Actual		-

Note: This measure replaces "Percent reduction of employee lost workday injury cases." Cost of Risk will be a comprehensive measure of a wide range of risks confronting each agency, including but not limited to safety issues, financial risks, and potential litigation. Agencies will establish a baseline in FY 2004 (FY 2005 for PBB III agencies) and will seek to achieve reductions in the Cost-of-Risk in subsequent years. Lost workdays due to injuries will be one of many components of the Cost-of-Risk formula (1/9/04).Measure

Measure 2.4: Rating of 4-5 on all four telephone service quality criteria: 1) Courtesy, 2) Knowledge, 3) Etiquette and 4) Overall Impression

	Fiscal Year	
	2005	2006
Target	-	-
Actual		-

Measure 2.5: Percent of Key Result Measures Achieved

	Fiscal Year	
	2005	2006
Target	-	-
Actual		-

For more detailed information regarding the proposed funding for the activities within this agency's programs, please see schedule 30-PBB in the FY 2005 Operating Appendices volume.